THE HON'BLE SRI JUSTICE N.V. RAMANA

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Writ Petition No.7036 of 2006

Dated: 25.04.2006

Between:

Express Publications (Madurai) Limited, Behind Blue Moon Hotel, Begum Pet, Hyderabad.

.... PETITIONER

AND

The Industrial Tribunal – I, Chandra Vihar, Nampally, Hyderabad

and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.7036 of 2006

Order:

By this writ petition, the petitioner is questioning the orders passed by respondent No.3-Government in G.O. Rt. No.681, dated 23.04.2004, referring the dispute between the petitioner-management and respondent No.2 to the Industrial Tribunal-I, Hyderabad, on the ground that as per Section 17 (2) of the Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955, respondent No.3-Government has to refer the dispute to the Labour Court, but not to the Industrial Tribunal.

When the matter is taken up for hearing, it is submitted by the learned counsel for the petitioner and admitted to by the learned counsel appearing on behalf of respondent No.2, that the subject matter of this writ petition is squarely covered by the judgment of this Court passed in W.P. No. 18647 of 2004, dated 03.08.2005, and they both agreed to dispose of the present writ petition on the same terms.

In W.P. No. 18647 of 2004, this Court passed the following orders.

> "Therefore, without expressing any opinion, the third respondent-Government is directed to exercise its power under Section 33 (B) of the I.D. Act in transferring the proceedings from the file of the Industrial Tribunal-I, Hyderabad to the file of the Additional Industrial Tribunal-cum-Labour Court. This exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. The Government is directed to pass appropriate orders in conducting the case from the stage where it was stopped in the Industrial Tribunal.
>
> Since the government is a proforma party and it can exercise its powers under Section 33 (B) of the I.D. Act, the direction was given.
>
> Accordingly, the writ petition is disposed of. No order as to costs."

Having regard to the facts and circumstances of the case and in view of the agreed stand taken by both the counsel, this writ petition is also disposed of in terms of the judgment in W.P.
No. 18647 of 2004, dated 03.08.2005. No costs.

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N.V. RAMANA, J.

Date: 25.04.2006

Note:

Issue CC in three days

(B/O)

Nsr